

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF OHIO**

In Re:	:	Chapter 13
	:	
Andrew Scott Vanderpool,	:	Case No. 23-60979
	:	
Debtor.	:	Judge John Gustafson

**MOTION TO DISMISS CASE FOR
FAILURE TO PROVIDE 2024 TAX RETURNS**

Now comes Dynele L. Schinker-Kuharich, Standing Chapter 13 Trustee, and hereby moves that this case be dismissed for the following reasons:

1. Debtor filed a petition for relief under Chapter 13 on August 16, 2023.
2. 11 U.S.C. §521(f) requires Debtor to submit to Trustee copies of federal and state income tax returns for each tax year while the Chapter 13 is pending at the request of the Trustee.
3. Trustee has requested copies of the 2024 federal and state income tax returns.
4. Debtor has failed to provide said tax returns to Trustee.
5. Debtor's failure to provide the requested documents is causing an unreasonable delay in the administration of the case that is prejudicial to creditors.

Now, therefore, pursuant to 11 U.S.C. §1307(c)(1), Trustee hereby requests that this case be dismissed without prejudice, and for such other relief as this Court may deem just and appropriate.

Respectfully submitted,

/s/ James R. Galehouse
Dynele L. Schinker-Kuharich (0069389)
Chapter 13 Trustee
James R. Galehouse (0084867)
Staff Counsel to the Chapter 13 Trustee
200 Market Avenue North, Ste. 30
Canton, OH 44702
Telephone: 330.455.2222
Email: Info@Chapter13Canton.com

NOTICE OF MOTION TO DISMISS CASE

Dynele L. Schinker-Kuharich, the Standing Chapter 13 Trustee, has filed papers with the Court to have this bankruptcy case Dismissed.

Your rights may be affected. You should read these papers carefully to discuss them with your attorney, if you have one, in this bankruptcy case. (If you do not have an attorney, you may wish to consult one.)

If you do not want the Court to dismiss this bankruptcy case, or if you want the Court to consider your views on the Motion to Dismiss this case, then on or before **May 26, 2025**, you or your attorney must file with the Court an Objection to the Motion to Dismiss at:

Clerk of Court
United States Bankruptcy Court
Ralph Regula Federal Building
401 McKinley Ave S.W.
Canton, OH 44702

If you mail your Objection to the Court for filing, you must mail it early enough so the Court will **receive** it on or before the date stated above.

You must also send a copy to: Dynele L. Schinker-Kuharich
Chapter 13 Trustee
200 Market Avenue North, Suite 30
Canton, Ohio 44702

If you or your attorney do not take these steps, the Court may decide that you do not oppose the relief sought in the motion and may enter an order granting that relief.

Date: May 5, 2025

/s/ James R. Galehouse
Dynele L. Schinker-Kuharich (0069389)
Chapter 13 Trustee
James R. Galehouse (0084867)
Staff Counsel to the Chapter 13 Trustee
200 Market Avenue North, Ste. 30
Canton, OH 44702
Telephone: 330.455.2222
Email: Info@Chapter13Canton.com

CERTIFICATE OF SERVICE

I hereby certify that on May 5, 2025, a true and correct copy of the Motion to Dismiss Case and Notice thereof was served via the Court's Electronic Case Filing System upon these entities and individuals who are listed on the Court's Electronic Mail Notice List:

- Office of the United States Trustee at [RegisteredEmailAddress]@usdoj.gov
- Jonathon Carl Elgin , Counsel for Debtor Andrew Scott Vanderpool, at jc@jcelgin.com

and by regular U.S. mail, postage prepaid, upon:

Andrew Scott Vanderpool, Debtor
57 Vernon Road
Shelby, OH 44875

/s/ James R. Galehouse
Dynele L. Schinker-Kuharich (0069389)
Chapter 13 Trustee
James R. Galehouse (0084867)
Staff Counsel to the Chapter 13 Trustee